

NAME OF DEBTOR <b>Michael Earl Smith</b>	JOINT DEBTOR <b>Daphne Eileen Smith</b>
ALL OTHER NAMES USED BY THE DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)	ALL OTHER NAMES USED BY THE JOINT DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)
<b>SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION &amp; COMMIT PERJURY!!! (Last 4 digits of Social)</b>  <b>***-**-7163</b>	<b>SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION &amp; COMMIT PERJURY!!! (Last 4 digits of Social)</b>  <b>***-**-0838</b>
STREET ADDRESS OF DEBTOR <b>5148 N Claremont 2nd Fl Chicago IL 60625</b>	STREET ADDRESS OF JOINT DEBTOR <b>5148 N Claremont 2nd Fl Chicago IL 60625</b>
COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS <b>Cook</b>	COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS <b>Cook</b>
MAILING ADDRESS OF DEBTOR	MAILING ADDRESS OF JOINT DEBTOR

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (IF DIFFERENT FROM STREET ADDRESS ABOVE)

NOT APPLICABLE

**Information Regarding the Debtor (Check the Applicable Boxes)**

## VENUE (Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District

## TYPE OF DEBTOR (Check all boxes that apply)

Individual(s)       Railroad  
 Corporation       Stockbroker  
 Partnership       Commodity Broker  
 Other \_\_\_\_\_

## CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box)

Chapter 7       Chapter 11       Chapter 13  
 Chapter 9       Chapter 12        
 Sec 304 0-- Case ancillary to foreign proceeding

## NATURE OF DEBTS (Check one box)

Consumer/Non-Business       Business

## FILING FEE (Check one box)

Full Filing Fee attached

Filing Fee to be paid in installments (Applicable to individuals only).

Must attach signed application for the court consideration certifying that the debtor is unable to pay fee except in installments.

R      Official Form No. 3

*U.S. Bankruptcy Court  
Northern District Of Illinois*

Filed: 04/26/2004  
Time: 15:52:19  
Debtor: MICHAEL EARL SMITH  
Case: 04-16360 Fee: 194  
Chapter: 13 Rec. #: 3077299  
Judge: Pamela Hollis  
341 mtg: 05/24/2004 @ 12:00PM  
ConfHrg: 06/21/2004 @ 11:00AM  
Trustee: MARILYN MARSHALL



1:04BK16360-BK001

STATISTICAL/ADMINISTRATIVE INFORMATION (Estimates Only)  
 Debtor estimates that funds will be available for distribution to unsecured creditors  
 Debtor estimates that, after any exempt property is excluded and administrative expenses are paid, there will be available for distribution to unsecured creditors.

ESTIMATED NO. OF CREDITORS	<input checked="" type="checkbox"/>	9
ESTIMATED ASSETS	<input checked="" type="checkbox"/> \$	5,410
ESTIMATED DEBTS	<input checked="" type="checkbox"/> \$	15,647

Voluntary Petition

NAME OF DEBTOR(s)

Michael Earl Smith

(This page must be completed and filed with the petition.)

Daphne Eileen Smith

I STATE THAT I FILED THE FOLLOWING OTHER BANKRUPTCY CASES WITHIN LA

LOCATION WHERE FILED:	CASE NO.	DATE FILED
Northern Eastern	00-27190	/00

PENDING BANKRUPTCY CASE FILED BY ANY SPOUSE, PARTNER, OR AFFILIATE OF

NAME OF DEBTOR:	CASE NUMBER:	DATE:
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DISTRICT	RELATIONSHIP:	JUDGE:
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Exhibit A to be completed only if debtor is required to file periodic report  
 Commission pursuant to Section 13 or 15(d) to the Securities Exchange Act of  
 Exhibit A is attached and made a part of this petition

Exhibit C Does the debtor own or have possession of any property that pose  
 health or safety? NO If yes and Exhibit C is attached and made a part of

Signature of Non-Attorney Petition Preparer I certify that I am a bankrupt  
 provided the debtor with a copy of this document Printed Name of Bankruptcy P  
 X Signature of Bankruptcy Petition Preparer A  
 of Bankruptcy Procedure may result in fines of imprisonment of both 11 U.S.C.

## DEBTOR(S) READ ENTIRE PETITION SIGN, AND DATE BELOW &

EVERY OTHER PAGE REQUIRED

I declare under penalty of perjury that the information provided in this petition  
 Chapter 7, 11, 12 or 13 of Title 11, U.S. Code, understand the relief available under each such Chapter and choose to proceed. I request relief  
 in accordance with the Chapter of Title 11, United States Code

Dated: 4/24/2004

Sign: X



Michael Earl Smith

Dated: 4/24/2004

Sign: X



Daphne Eileen Smith

Exhibit B - Signature of Attorney

Attorney Name: Erin T Hack

Bar No: 6275060

Law Offices of Peter Francis Geraci  
 55 E. Monroe Street  
 #3400  
 Chicago IL 60603  
 312.332.1800  
 312.332.6354 Fax

I, the attorney for the petitioner named in the foregoing petition, do  
 11, 12 or 13 of Title 11, United States Code, and have explained

Attorney Name: Erin T Hack

Dated: 4/26/2004

## INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under Chapter 7 of the Bankruptcy Code. This information is intended to make you aware of ...

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the bankruptcy code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

## WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

## WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

## WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary -- they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at anytime before the court issues your discharge order OR within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

## OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,000,000 (\$307,000 in unsecured debts and \$922,000 in secured debts).

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. :

Attorney for Debtor: Erin T Hack

**STATEMENT Pursuant to Rule 2016(b)**

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, states that:

1. The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services rendered, Debtor(s) agrees to pay	\$	2,700
Prior to the filing of this Statement, Debtor(s) has paid	\$	0
Balance Due	\$	2,700

2. The Filing Fee has been paid.

3. The Service rendered or to be rendered include the following:

- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first meeting of creditors.
- (d) Advice as required.

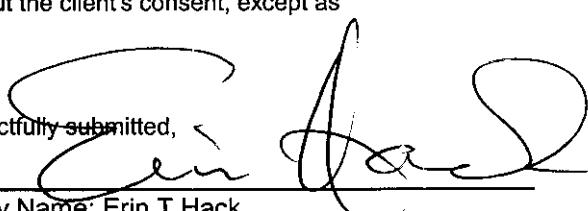
4. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and none other.

5. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed and none other.

6. The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

7. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.

Dated: 4, 26, 2004

Respectfully submitted,  
  
\_\_\_\_\_  
Attorney Name: Erin T Hack

Bar No: 6275060

Law Offices of Peter Francis Geraci  
55 E. Monroe Street  
#3400  
Chicago IL 60603  
312.332.1800

BY WHOM

In re:

Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. :

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Description and Location of Property	Nature of Debtor's Interest in Property	H W J C	Market Value of Debtor's Interest	Amount of Secured Claim
<b>[x] None</b>				

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. :

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtor's Interest Before Claim
01. Cash on Hand		<u>[x] None</u>
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		
Wife's checking account at Stratus		0
Husband's checking account at Stratus		0
03. Security Deposits with public utilities, telephone companies, landlords and others.		<u>[x] None</u>
04. Household goods and furnishings, including audio, video, and computer equipment.		
Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware		\$ 1,000
Aronson - Furniture	W	\$ 400

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet property identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtor's Interest Before Claim
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		
<b>Books, Compact Discs, Tapes/Records, Farnily Pictures</b>		\$ 50
06. Wearing Apparel		
<b>Necessary wearing apparel</b>		\$ 300
07. Furs and jewelry.		<u>[x] None</u>
08. Firearms and sports, photographic, and other hobby equipment.		<u>[x] None</u>
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		
<b>Term Life Insurance with Guaranteed Life Insurance - No Cash Surrender Value.</b>		None
10. Annuities		<u>[x] None</u>
11. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans.		<u>[x] None</u>
12. Stocks and interests in incorporated and unincorporated businesses.		<u>[x] None</u>
13. Interest in partnerships or joint ventures.		<u>[x] None</u>
14. Government and corporate bonds and other negotiable and non-negotiable instruments.		<u>[x] None</u>
15. Accounts receivable		<u>[x] None</u>
16. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled		<u>[x] None</u>
17. Other liquidated debts owing debtor including tax refunds.		<u>[x] None</u>
18. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.		<u>[x] None</u>
19. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		<u>[x] None</u>
20. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.		<u>[x] None</u>
21. Patents, copyrights and other intellectual property.		<u>[x] None</u>
22. Licenses, franchises and other general intangibles.		<u>[x] None</u>
23. Autos, Truck, Trailers and other vehicles and accessories.		
<b>Household Auto - 1999 Chevrolet Malibu Mileage 113,000.</b>	<b>J</b>	<b>\$ 3,660</b>

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtor's Interest Before Claim
24. Boats, motors and accessories.	[x] None	
25. Aircraft and accessories.	[x] None	
26. Office equipment, furnishings, and supplies.	[x] None	
27. Machinery, fixtures, equipment, and supplies used in business.	[x] None	
28. Inventory	[x] None	
29. Animals	[x] None	
30. Crops-Growing or Harvested.	[x] None	
31. Farming equipment and implements.	[x] None	
32. Farm supplies, chemicals, and feed.	[x] None	
33. Other personal property of any kind not already listed.	[x] None	
Total		<u>\$ 5,410</u>

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE C - PROPERTY CLAIMED EXEMPT**

[ ] 11 U.S.C. S522(b)(1): Exemptions provided in 11 U.S.C. S522(d). Note: These exemptions are available only in certain states.  
 [x] 11 U.S.C. S522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property	Specify Law Providing Exemption	Value of Claimed Exemption	Market Value of Debtor's Interest Before Claim
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and load, thrift, building and load, and homestead associations or credit unions, brokerage houses, or			
Wife's checking account at Stratus	735 ILCS 5/12-1001(b)	0	0
<hr/>			
Husband's checking account at Stratus	735 ILCS 5/12-1001(b)	0	0
<hr/>			
04. Household goods and furnishings, including audio, video, and computer equipment.			
Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	735 ILCS 5/12-1001(b)	\$ 1,000	\$ 1,000

**SCHEDULE C - PROPERTY CLAIMED EXEMPT**

[ ] 11 U.S.C. S522(b)(1): Exemptions provided in 11 U.S.C. S522(d). Note: These exemptions are available only in certain states.

[x] 11 U.S.C. S522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property	Specify Law Providing Exemption	Value of Claimed Exemption	Market Value of Debtor's Interest Before Claim
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.			
Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 50	\$ 50
06. Wearing Apparel			
Necessary wearing apparel	735 ILCS 5/12-1001(a),(e)	\$ 300	\$ 300
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.			
Term Life Insurance with Guaranteed Life Insurance - No Cash Surrender Value.	735 ILCS 5/12-1001(b)	None	None
23. Autos, Truck, Trailers and other vehicles and accessories.			
Household Auto - 1999 Chevrolet Malibu Mileage 113,000.	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 3,660

**BY WHOM****SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C" in the column labeled "HWJC".

Creditor's Name and Mailing address including Zip Code	Date claim was incurred, nature of lien and description and market value of property subject to lien	H C W O J N C T I N G E N T	U N L Q U D A T E A D E D	DI S P U T E D D D D	Amount of claim without deducting value of collateral	Unsecur ed portion, if any
Co-Debtor						

1 <u>Aronson Furniture</u>	2002 Non-Purchase Money Secur	\$ 800	\$ 400
Account No. 02020026	Value: \$ 400	W	

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C" in the column labeled "HWJC".

Creditor's Name and Mailing address including Zip Code	Date claim was incurred, nature of lien and description and market value of property subject to lien	H C    U    D I W O    N    S J N    L    P C T I    Q    U N    U    T G    D    E E    A    D N    T T    E D	Amount of claim without deducting value of collateral	Unsecur ed portion, if any
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**Co-Debtor**

Attn: Bankruptcy Department  
3401 W. 47th St.  
Chicago IL 60632

Aronson - Furniture

Freedman Anselmo Lindberg  
and  
Rappe  
1807 W. Diehl Rd.

Representing:

Aronson Furniture

Naperville IL 60566

<b>2 Household Auto Finance</b>	<b>Lien on Vehicle</b>	<b>\$ 7,797 \$ 4,137</b>
Account No. 5000008160954	Value: \$ 3,660	J
Bankruptcy Department PO Box 17548	Household Auto - 1999 Chevrolet	
Baltimore MD 21297	Malibu Mileage 113,000.	
<hr/>		<hr/>
<b>TOTAL</b>		<b>\$ 8,597</b>

In Re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C", in the column labeled "HWJC".

In Re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", in the column labeled "HWJC".

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance or support, to the extent provided in 11 U.S.C. S507(a) (7).

**Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. S507(a) (8).

Creditor Name and Address	Date Claim was Incurred Consideration for Claim	HC	U	DI	Claim Amount and Notes*
		WO	N	S	
		J	N	U	P
		C	T	Q	U
		N		U	T
		G		D	E
		E		A	D
		N		T	
		T		E	
				D	

None

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claims is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Creditor Name and Address	Date Claim Was Incurred Account #	Claim Amount
		Consideration for claim hwjc

1 <b><u>AT&amp;T</u></b> Account No. Attn: Bankruptcy Dept. PO Box 8212 Aurora IL 60572-8212	2003 Utility Bills/Cellular Service	H \$ 1,100
2 <b><u>Ballert Orthopedic</u></b> Account No. 15994 Bankruptcy Dept. 2434 W. Peterson Chicago IL	2000-2002 Medical/Dental Services	H \$ 1,200

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claims is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Creditor Name and Address	Date Claim Was Incurred Account #	Claim Amount		
		Consideration for claim	hwjc	
3 <b><u>Capital One</u></b> Account No. 5570092221897412	2000-2002 Credit Card or Credit Use		W	\$ 1,100
Bankruptcy Department PO Box 34631 Seattle WA 98124-1631 M.R.S. Associates, Inc. Bankruptcy Department 3 Executive Campus, Ste. 400 Cherry Hill NJ 08002-4103		Representing: <u>Capital One</u>		
4 <b><u>Diagnostic Radiology</u></b> Account No. 85041	2000-2002 Medical/Dental Services		W	\$ 100
Attn: Bankruptcy Department Dept H Carol Stream IL 60197				
5 <b><u>Peoples Gas</u></b> Account No. 2753062	2000-2003 Utility Bills/Cellular Service		W	\$ 950
Bankruptcy Department 130 E. Randolph Dr. Chicago IL 60601-6207 State Collection Service Bankruptcy Department PO Box 6250 Madison WI 53716-0250		Representing: <u>Peoples Gas</u>		

In re: **Michael Earl Smith and Daphne Eileen Smith / Debtors**

Case No. : \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claims is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Creditor Name and Address	Date Claim Was Incurred Account #	Claim Amount Consideration for claim hwjc		
			W	\$
<b>6 Premier Bank</b> Account No. AS9440FLM	2000-2002 Credit Card or Credit Use			450
Bankruptcy Department PO Box 5147 Sioux Falls SD 57117 J.C. Christensen & Associates Bankruptcy Department PO Box 519 Sauk Rapids MN 56379-0519		Representing: <b>Premier Bank</b>		
<b>7 Swedish Covenant Hospital</b> Account No. 29252673	2000-2002 Medical/Dental Services		W	2,150
Attn: Bankruptcy Department 5801 N. Pulaski Rd. Chicago IL 60646-6007				
			<b>TOTAL</b>	<b>\$ 7,050</b>

In re: **Michael Earl Smith and Daphne Eileen Smith / Debtors**

Case No. : \_\_\_\_\_

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contracts, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing address of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Name and Address of Other Parties to Instrument

Notes of contract or Lease and Debtor's Interest

[x] None

**SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Name and Address of Codebtor

Name and Address of Creditor

---

 None

In re: **Michael Earl Smith and Daphne Eileen Smith / Debtors**

Case No. : \_\_\_\_\_

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

Dependent(s) T.W., 17yrs  
C.S., 15yrs

**Debtor's Marital Status:**

Married

**EMPLOYMENT:**

Occupation: Disability

**SPOUSE**

Home Care Provider

Name of Employer: Community Care Inc.

Years Employed 7 Years

Employer Address: 70 E. Lake St.

Chicago

IL

**INCOME:**

Current monthly gross wages, salary, and commissions

0.00

1,028.80

Estimated Monthly overtime

0.00

0.00

**SUBTOTAL**

**LESS PAYROLL DEDUCTIONS**

a. Payroll taxes and social security	0.00	19.28
b. Insurance	0.00	0.00
c. Union dues	0.00	0.00
d. Other: Pension	0.00	0.00
	0.00	0.00

**SUBTOTAL OF PAYROLL DEDUCTIONS**

\$ 0.00

\$ 19.28

**TOTAL NET MONTHLY TAKE HOME PAY**

\$ 0.00

\$ 1,009.52

Regular income from operation of business or profession or farm (attach detailed statement) \$ 0.00 \$ 0.00

Income from real property \$ 0.00 \$ 0.00

Interest and dividends \$ 0.00 \$ 0.00

Alimony, maintenance or support payments payable to debtor for the debtor's use or that of dependents listed above \$ 0.00 \$ 0.00

Social Security or other government assistance

Disability	\$ 1,053.30	
Social Security		\$ 131.70
Pension or retirement income	\$ 0.00	\$ 0.00
Other monthly income	\$ 0.00	

**TOTAL MONTHLY INCOME**

\$ 1,053.30

\$ 1,141.22

**TOTAL COMBINED MONTHLY INCOME**

\$ 2,194.52

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	1st Mortgage/Rent	750.00
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2nd Mortgage	0.00
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3rd Mortgage	0.00
Utilities: Electricity and heating fuel		\$ 100.00
Water and Sewer		\$ 0.00
Telephone		\$ 75.00
Other		\$ 0.00
		\$ 0.00
Home maintenance (repairs and upkeep)		\$ 0.00
Food		\$ 450.00
Clothing		\$ 75.00
Laundry and Dry Cleaning		\$ 15.00
Medical and Dental expenses , Rx Medicines		\$ 0.00
Transportation (not including car payments)		\$ 145.00
Recreation, clubs, and entertainment, etc.		\$ 0.00
Newspapers, Magazines		\$ 0.00
Charitable contributions		\$ 0.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or Renter's		\$ 0.00
Life		\$ 50.00
Health		\$ 0.00
Auto		\$ 88.67
Other		
Taxes (not deducted from wages or included in home mortgage payments.)		\$ 0.00
Installment Payments:		
Auto		\$ 0.00
Other		
Auto Repair		\$ 0.00
Alimony, maintenance, and support paid to others		\$ 0.00
Payments for support of additional dependents not living at your home		
Regular expenses from operation of business, profession, farm (attach detailed statement)		
Other Haircuts		\$ 0.00
Personal Care, Non-Rx,Toiletries,Cleaning Supplies		\$ 10.00
Postage/Banking		\$ 0.00
Contacts		\$ 0.00
Babysitting/Childcare		
Tuition, Books		\$ 0.00
Student Loans		\$ 0.00
		\$ 0.00
		\$ 0.00
<b>TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)</b>		<b>\$ 1,758.67</b>

**FOR CHAPTER 12 AND 13 DEBTORS ONLY**

A. Total projected monthly income	\$ 2,194.52
B. Total projected monthly expenses	\$ 1,758.67
C. Excess income (A minus B)	\$ 435.85

In re: Michael Earl Smith and Daphne Eileen Smith / Debtors

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**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate

D. Total amount to be paid into plan monthly	\$	0.00
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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In Re:

## **Michael Earl Smith and Daphne Eileen Smith / Debtors**

Case No. : \_\_\_\_\_

Attorney for Debtor: Erin T Hack

For: Peter Francis Geraci

## **SUMMARY OF SCHEDULES**

NAME OF SCHEDULE	ATTACHED (YES / NO)	PAGES	A M O U N T S	S C H E D U L E D
			ASSETS	LIABILITIES
SCHEDULE A - Real Property	Yes	1		
SCHEDULE B - Personal Property	Yes	—	<b>5,410</b>	
SCHEDULE C - Exempt	Yes	—		
SCHEDULE D - Secured	Yes	—		<b>8,597</b>
SCHEDULE E - UnSecured Priority	Yes	1		
SCHEDULE F - UnSecured NonPriority	Yes	—		<b>7,050</b>
SCHEDULE G - Executory Contracts	Yes	—		
SCHEDULE H - CoDebtors	Yes	1		
SCHEDULE I - Income	Yes	1		<b>2,195</b>
SCHEDULE J - Expenditures	Yes	1		<b>1,759</b>
			<b>\$ 5,410</b>	<b>\$ 15,647</b>

In Re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL/JOINT DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

**Sign: X** Michael Earl Smith

Dated: 4 1 24 /2004

**Michael Earl Smith**

**Sign: X** Daphne Eileen Smith

Dated: 4 1 24 /2004

**Daphne Eileen Smith**

**SIGN AND DATE ABOVE**

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In Re: Michael Earl Smith and Daphne Eileen Smith / Debtors

Case No. : \_\_\_\_\_

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

## DEFINITIONS

"In business." A debtor is "in business" for the purpose of this statement if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. 101

01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS: Identify all sources of income if there is more than one. State the gross amount of income debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the 2 years immediately preceding this case calendar year.  None

Spouse

Spouse

2004.....: Approx. \$ 3,840.94

2003.....: Approx. \$ 13,000.00

2002.....: Approx. \$ 13,000.00

Source.....: Employment

02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS: State the amount of income received by the debtor OTHER than from employment, trade, profession, or operation of the debtor's business during the 2 years immediately preceding the commencement of this case. Include all payments received from any source. Indicate multiple sources of income.

Debtor's Income Non-Wage

2004.....: Approx. \$ 9,284.00

2003.....: Approx. \$ 12,636.00

2002.....: Approx. \$ 12,636.00

From: Disability

Spouse

Spouse

2004.....: Approx. \$

2003.....: Approx. \$1620.00

2002.....: Approx. \$1620.00

From: Pension,SS,Unempl? List:

03. PAYMENTS TO CREDITORS: List all payments on loans, installments, purchases of goods or services, and other debts, aggregating more than \$600.00 to any creditor, made within 90 days immediately preceding the commencement of this case. INCLUDE MORTGAGE AND VEHICLE PAYMENTS MADE IN THE LAST 3 MONTHS.  None

03b PAYMENTS TO RELATIVES OR INSIDERS List all payments made within 1 year immediately preceding the commencement of this case or for the benefit of creditors who are or were insiders.

None

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

None

List all lawsuits & administrative proceedings you were a party to within 1 year of today, whether as a plaintiff or defendant or other party: include divorces, injury claims, employment claims and all others.

04b: WAGES OR ACCOUNTS GARNISHED: List all property that has been attached, garnished or seized under any legal or equitable process within 1 year:

None

05. REPOSSESSION, FORECLOSURES AND RETURNS: List all property repossessed, sold at foreclosure sale, deed in lieu of foreclosure, returned to the seller, within 1 year of filing this bankruptcy:

None

06. ASSIGNMENTS AND RECEIVERSHIPS: List assignment of property for benefit of creditors within 120 days before filing this bankruptcy:

None

List any property in the hands of a custodian, receiver, or court-appointed official within 1 year of today.

None

07. GIFTS: List all gifts or charitable contributions you made within 1 year before filing this bankruptcy case except ordinary & usual gifts or family members less than \$200.00 total per individual family member, & charity contributions less than \$100.00 per recipient.

None

08. LIST ALL FIRE, THEFT OR GAMBLING LOSSES WITHIN 1 YEAR OF TODAY:

None

09. LIST ALL PAYMENTS TO CREDIT COUNSELORS OR BANKRUPTCY ATTORNEYS INCLUDING PETER FRANCIS GERACI: (by you, or by others for you, within 1 year of today)

Payee.....: Law Offices of Peter Francis Geraci

Address.....: 55 East Monroe Street

Address2.....: Suite 3400

Address3.....: Chicago IL 60603

Date of Payment.: /

Payor.....: Debtor

Payment/Value.....: 2,700.00

In addition to Peter Francis Geraci and his employees of his firm, I hired, at no additional fee, attorneys listed on my contract of representation to work on my case.

None

10. If you transferred any property of any kind, either absolutely or as security, within 1 year of today, give details: (Including but not limited to: vehicle trades, transfers or sales, loans against property, divorce transfers, quit-claim deeds, trusts)

None

11. If you CLOSED or TRANSFERRED any checking savings, pension, stock, brokerage, mutual fund, credit union or other accounts within 1 year of today, list details:

None

12. LIST ANY SAFETY DEPOSIT BOXES OR OTHER DEPOSITORY PLACES the debtor has or had securities, cash, or other valuables within 1 year of today:

None

13. LIST ALL SETOFFS by any creditor, such as a bank or credit union, against a debt or deposit of yours within the past year.

None

14. LIST ALL PROPERTY THAT YOU HOLD FOR ANOTHER PERSON: (Including but not limited to: minor's accounts, vehicle in your name that is really someone else's, accounts or property or items you are on title to or in possession of)

None

15. WHERE HAVE YOU LIVED IN LAST 2 YEARS:

None

16. COMMUNITY PROPERTY STATES WISCONSIN & OTHERS: If you live or did live in a community property state or territory (Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) in last 6 years, name your spouse & ex-spouse & the community property state.  None

17. ENVIRONMENTAL INFORMATION: "Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.  None

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

a. If you have received notice of violation of any ENVIRONMENTAL LAW VIOLATION, list name & address of every site & the governmental unit, date of the notice, & Environmental law.  None

b. If you provided notice of release of Hazardous Material, list name and address of every site and governmental unit.  None

c. If you were party to any Environmental Law judicial or administrative proceedings, orders or settlements, give the name & address of governmental unit that is or was a party to the proceedings, & docket number.  None

18. a. List names, addresses, taxpayer ID #, nature of business, begin & end dates all businesses, sole-proprietors, partnerships, corporations in which you had any interest, office, 5% or more voting or equity interest within 6 years of today. List same if debtor is partnership or corporation.  None

Name Taxpayer ID# ADDRESS NATURE DATES

b. Identify any business listed above that is a "single asset real estate" as defined in 11 U.S.C. 101.

b. Identify any business listed in subdivision a. that is "single asset real estate" as defined in 11 U.S.C. 101.  None

19. List all bookkeepers and accountants in the last 2 years who kept, or supervised the keeping of, your books of account and records.  None

b. List all firms or individuals who have audited the books of account and records, or prepared a financial statement of yours in the last 2 years.  None

c. List all firms or individuals who are now in possession of your books of account and records of the debtor. If any books or records are not available, explain.  None

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the last 2 years.  None

20. INVENTORIES  None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.  None

21A. Only if you are a partnership, list nature and percentage of interest of each member of it.  None

b. Only if debtor is a corporation, list officers & directors; each stockholder who directly or indirectly owns, controls, or holds 5% or more of the voting or equity securities of the corporation.  None

23. ONLY IF DEBTOR IS A PARTNERSHIP OR CORPORATION, list withdrawals or distributions or payments, bonuses, loans etc. to insiders, including compensation in any form, in past year.  None

24. ONLY IF YOU ARE A CORPORATION, list information of parent corporation and taxpayer ID number in last 6 years.  None

25. ONLY IF debtor is not an individual, list name & federal taxpayer ID number of any pension fund to which debtor, as an employer, was responsible for contributing in last 6 years.  None

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing Statement of Financial Affairs and any attachments thereto and that they are true and correct.

**Sign: X** Michael E. Smith

Dated: 4/1/24 /2004

Michael Earl Smith

**Sign: X** Daphne Eileen Williams

Dated: 4/1/24 /2004

Daphne Eileen Smith

**SIGN AND DATE ABOVE AFTER READING IT**

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. SS 152 and 3571.

1. DEBTS TO A SPOUSE, EX-SPOUSE OR CHILD OF YOURS FOR ALIMONY, MAINTENANCE SUPPORT in connection with a separation agreement, divorce decree or court order. DEBTS YOU AGREED TO ASSUME IN MARITAL SETTLEMENT AGREEMENTS are GENERALLY dischargeable. They are NON-DISCHARGEABLE only if your ex-spouse files an adversary complaint, and the Judge rules that (a) you do not have the ability to pay the debt OR (b) discharging such debt would result in a benefit to you that outweighs the detriment to ex-spouse or your child.

2. STUDENT LOANS, TUITION, EDUCATIONAL BENEFITS if government insured loan or owed to non-profit school unless you file a complaint within the bankruptcy to prove repayment would be an "undue hardship", and win.

3. CO-SIGNERS, JOINT APPLICANTS AND JOINT CARD HOLDERS ARE NOT PROTECTED. Creditors can collect from co-signors and put your bankruptcy on their credit report. You can normally prevent this by continuing to make the regular payments to the creditor. Creditors can liquidate collateral of your co-signer and refuse to continue payment in installments. Property you are joint on with other persons can be LIQUIDATED to pay your creditors.

4. TAX DEBTS. Most taxes are not discharged in bankruptcy. However, income tax debt (1040 type tax) can be discharged if the following four rules are met:

- (1). The tax return was DUE at least 3 YEARS (plus extensions) before the filing of your bankruptcy case.
- (2). You FILED your income tax return at least 2 YEARS before your bankruptcy was filed. You did not file a return if the tax authority or IRS had to file one for you, or if you didn't send the return to the District Director. (3). You did not wilfully intend to evade the tax.
- (4). The tax must have been ASSESSED over 240 DAYS before the bankruptcy filing. We recommend you meet with the IRS or state department of revenue to make sure all the conditions have been met, before you hire us or file a bankruptcy. Fraudulent taxes and taxes on unfiled returns can be discharged in a Chapter 13 case. Time in an offers in compromise, & time in bankruptcy plus 6 months, will extend the above time periods. Employers' share of FICA & FUTA is dischargeable, but no trust fund taxes like the employee's funds or sales tax.

5. FINES OR PENALTIES OWED TO A GOVERNMENTAL UNIT. Parking & Traffic tickets, building code violations.

6. NON-FILING HUSBAND OR WIFE. If you choose to file individually, your spouse is not our client. Only your debts are discharged. If you want to protect a non-filing spouse, pay their bills or file a joint case with them. Family expenses such as medical bills, rent and necessities may be collected from a non-filing spouse. In Wisconsin, community property is liable for community debts.

7. DUI PERSONAL INJURIES, DEBTS YOU DON'T LIST.

8. DEBTS WHERE OBJECTION TO DISCHARGE IS SUCCESSFUL. Creditors, the Trustee, or the Court, can try to deny you a discharge based on many factors, INCLUDING:

- a. Income sufficient to pay a percentage of your unsecured debt.
- b. Failure to keep books and records documenting your financial affairs.
- c. Luxury purchases or cash advances, either shortly before filing or without intent or ability to repay.
- d. Debts you made by false pretenses, breach of fiduciary duty, wilful and malicious injuries to others
- e. BENEFITS OVERPAYMENTS like aid or unemployment if a determination of fraud has been made before or during your bankruptcy.
- f. Failure to appear at meetings, court dates, or co-operate with Trustee.

9. INTEREST ON NON-DISCHARGEABLE DEBTS in a Chapter 13 continues to accrue, and CREDITORS WHO DO NOT FILE CLAIMS in your Chapter 13 plan within 90 days (180 days for governmental units) of the meeting of creditors, do not get paid. Your plan and their claim should provide for interest at contract rate, or you will have to pay the debt outside the Chapter 13 plan. Property taxes must be paid by you directly to avoid sale for delinquent taxes.

10. LIQUIDATION OF REAL AND PERSONAL PROPERTY. If you file a Chapter 7, any property that is not protected on Schedule C pursuant to state or federal law is taken and sold by the trustee to pay creditors. You agree to assume the risk that your property will be taken and sold by the bankruptcy trustee (at or less than what it is worth) if we can't protect it under applicable state law. You get a discharge, but the trustee can take property not listed and exempted on schedules B and C and sell it for whatever price will provide some benefit to creditors. The trustee can also challenge and deny exemptions you claim.

11. CHANGE IN LAWS. Laws & court cases change constantly. We can file your case today if you pay us in full (some attorneys give credit, we don't) pay the filing fee and sign your petition in our main office. ANY DELAY BEYOND TODAY IS YOUR RESPONSIBILITY. ADVERSE RULINGS Judges that sit in adjoining courtrooms can rule differently on the same facts. We can predict but cannot guarantee that a judge will or will not rule against you. You must accept the risk of a judge ruling against you, as in any lawsuit.

12. PAYMENTS TO CREDITORS YOU PREFERRED to pay more than \$600 in front of others, within 1 yr if a relative or insider, or within 90 days if another creditor, so don't pay off debts to keep credit cards or protect others. TRANSFERS OF PROPERTY within 4 years if it made you unable to pay your debts at the time can be reversed by a Trustee and the transferee will have to give back the property you transferred.

13. SURRENDER OF PROPERTY Bankruptcy gets rid of debts, but real estate, condos and time shares remain in your name until a foreclosure sale or the lender accepts a deed in lieu of foreclosure. Turn condo keys over to condo association or remain liable for assessments after filing, and make sure you keep buildings & land insured and maintained and secured until it is taken back by lender or out of your name. If you let a house go vacant and pipes explode or someone gets killed in there you may be liable.

14. RIGHT TO RECEIVE inheritances, tax refunds, injury claims, compensation of any kind, insurance or realty commissions, are property of the bankruptcy estate and you will surrender these to the trustee unless they are claimed exempt on Schedule C, and no objection to your claim of exemption is upheld. Do not deduct extra money from taxes so you are entitled to a refund, change your W-9 if necessary.

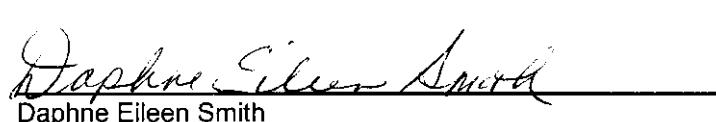
15. JOINT ACCOUNT HOLDERS holders entire amount in the account could be taken by the trustee under Chapter 7.

16. MARRIED COUPLES GOING THROUGH DIVORCE: We have been advised to seek independent counsel for our bankruptcy. We understand that Peter Francis Ceraci does not represent us with regard to any divorce matters and does not make any representations regarding what will happen in divorce court. We have decided to file a bankruptcy together despite the fact that we are getting a divorce and our interests could be adverse. We have agreed to cooperate with each other in this joint bankruptcy.

17. AUTO LEASES & INSTALLMENT AGREEMENTS to purchase things, leases and almost all contracts will be void after bankruptcy. They are "executory contracts", and if they are of no benefit to the bankruptcy estate and not assumed within 60 days of filing, they are void. Debtors have been warned of this, and unless there is a novation under state law, or agreement not to use bankruptcy to void the contract, the debtors rights under the contract are extinguished. Debtor agrees to be responsible for obtaining such agreements or losing rights under such contracts. Debtor agrees that his or her attorney will not file motions to assume such contracts.

The Undersigned have read the above & assume the risk that a debt is not discharged in bankruptcy, that our non-exempt property will be taken and sold by the bankruptcy trustee if it can't be protected, that the trustee might object if I/we have excess income, or change in State, Federal or Bankruptcy laws before the case is filed in Court AND WE HAVE TO READ, CHECK, & MAKE SURE OUR PETITION IS ACCURATE!!!!

  
Michael Earl Smith

  
Daphne Eileen Smith

Aronson Furniture  
Attn: Bankruptcy Department  
3401 W. 47th St.  
Chicago, IL 60632

AT&T  
Attn: Bankruptcy Dept.  
PO Box 8212  
Aurora, IL 60572

Ballert Orthopedic  
Bankruptcy Dept.  
2434 W. Peterson  
Chicago, IL

Capital One  
Bankruptcy Department  
PO Box 34631  
Seattle, WA 98124

Diagnostic Radiology  
Attn: Bankruptcy Department  
Dept H  
Carol Stream, IL 60197

Househld Auto Finance  
Bankruptcy Department  
PO Box 17548  
Baltimore, MD 21297

Peoples Gas  
Bankruptcy Department  
130 E. Randolph Dr.  
Chicago, IL 60601

Premier Bank  
Bankruptcy Department  
PO Box 5147  
Sioux Falls, SD 57117

Swedish Covenant Hospital  
Attn: Bankruptcy Department  
5801 N. Pulaski Rd.  
Chicago, IL 60646

**NORTHERN DISTRICT OF ILLINOIS**

**EASTERN DIVISION**

In Re: Michael Earl Smith and Daphne Eileen Smith / Debtors

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Dated: 4 1 24 /2004

Michael Earl Smith  
Michael Earl Smith

Dated: 4 1 24 /2004

Daphne Eileen Smith  
Daphne Eileen Smith

**SIGN AND DATE ABOVE**